

PATENT

#12

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
STARK et al.	)	
	)	
Application No.: 09/416,192	)	Office of Petitions
	)	Patent and Trademark Office
Filed: October 11, 1999	)	
	)	
Title: SYSTEM FOR ORTHOPEDIC	)	
TREATMENT	)	

PETITION FOR WITHDRAWAL OF THE NOTICE OF ABANDONMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The assignee of U.S. Patent Application No. 09/416,192, IZEX Technology Inc., hereby requests the Examiner to withdraw the Notice of Abandonment mailed on February 21, 2002 and enter the Amendment mailed on January 18, 2002.

An Amendment and Petition For Extension Of Period For Response were filed on January 18, 2002. Copies of these papers with proper Certificates of Mailing are enclosed. A Return Receipt postcard was received from the Patent Office with a stamped received date of February 12, 2002. A copy of the postcard is also enclosed.

Since a Response was timely filed by Applicants, the Notice of Abandonment was improper, and Applicants hereby request the withdrawal of the holding of abandonment. See MPEP 711.03(b) and 711.03(c).

Should any additional information be required, or should there be any other problems in the handling of the Petition, the patent attorneys for the assignee respectfully request

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that the Examiner directly contact the undersigned patent attorney by telephone to expedite those matters.

While Applicants do not believe that any fee is due, the Commissioner is hereby authorized to charge to Deposit Account No. 16-0631 any underpayment, overpayment or required fees.

Respectfully submitted,



Peter S. Dardi, Ph.D.  
Registration No. 39,650

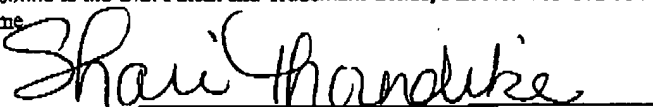
Customer No. 24113  
Patterson, Thuent, Skaar & Christensen, P.A.  
4800 IDS Center  
80 South 8th Street  
Minneapolis, Minnesota 55402-2100  
Telephone: (612) 349-5746

*Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.*

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 703-872-9302 on the date shown below thereby constituting filing of same.

March 13, 2002  
Date

  
Shari R. Thorndike